

1305 Rule – 2003 IBC Advisory Committee Meeting Summary

From (Eleventh) October 12th, 2004 Meeting

- Our Eleventh IBC Advisory Committee meeting was called to order on Tuesday, October 12, 2004 at 9:10 AM. There were nine committee members/alternates present, including two BCSD staff members. There were also four other guests present for the meeting.
- Jerry Norman introduced the code item at hand. The primary item for consideration, or re-consideration, was the Advisory Committee's recent recommendation to repeal all existing 2003 MSBC amendments relating to elevator lobby and smoke and draft control assembly requirements for elevator hoistway opening protectives. [MSBC 1305.0707] Mr. Norman followed-up by indicating that the Division thought it would be beneficial to reintroduce the issue after receiving a new letter of request from the original proponent of the amendment(s) – for a number of reasons. They include:
 - 1) There are current/proposed code changes to the MN Elevator Safety Code (MN Rule 1307) that potentially change elevator hoistway venting requirements that the IBC Advisory Committee was not aware of at the time this issue was originally considered. Staff thought it was relevant to the issue and that the committee needed to be aware of the new changes for full consideration of this issue.
 - 2) As a result of the adoption process for the 2003 MSBC (and the current elevator hoistway smoke and draft control amendments - MSBC 1305.0707) - the Division received a lot of criticism about the way the proponent of the original amendment (although following the proper/due rule hearing processes) got their proposal included in the current code. The Division would like to try and avoid this potential by allowing for full committee consideration - with all interested parties - rather than having the issue be brought up at a required public hearing.
 - 3) The Division wanted to create a platform for the advisory committee to hear directly from the original proponent and all potential opposition so that a final resolution could be achieved in an attempt to head off a possible and costly public hearing for the rule.

Brief introductions were made by all parties present and then the original proponent (of the current amendment) was allowed to present their position. Mr. Brent Hall from W.L. Hall Company and Mr. Gregory J. Cahanin, representing the Building For Performance Research Institute proceeded to update the committee on their proposal which is to keep the current Minnesota amendments (MSBC 1305.0707) as they already exist. Supplemental information was handed out and discussed. Mr. Hall also informed the committee that similar provisions have already been submitted at the national code hearings and that they have been approved/included in the 2004 Supplement to the International Building Code (for further consideration in the 2006 IBC).

The proposal was then put to the floor of the committee for open discussion/debate. Mr. Kent Warden, representing BOMA Minnesota, reiterated a history of this provision as he knew of it at both the state and national code hearing levels. He also reminded the committee that just because an item is/was included in the 2004 Supplement to the IBC, it does not necessarily mean that it will positively be included in the 2006 IBC. He indicated that there are a number of other proposed changes to this provision that have not yet been heard by the national code committee's and that this whole issue could change once final hearings are complete. He further indicated that BOMA, MN is in opposition of this amendment and is in full support of the committee's current recommendation which is to repeal all amendments relating to this condition in the MSBC. Further discussion ensued. Representatives from AIA MN, AMBO, the Minnesota Fire Chiefs Association, other guests and BCSD staff all spoke on the issue. Most of the debate revolved around the fact that this issue has had a long history of debate at the national level and that it has never really been resolved. It (the proposal) has never been included in the model code at the national level; therefore, it was generally determined that the State of Minnesota should not be including it here – at least until the national model code organization has incorporated it into the International Building Code (IBC). The issues of associated construction costs, firefighter use of an elevator, cold vs. hot smoke migration and stack affects, smoke and exit tenability in a fire condition, other less restrictive and/or conflicting IBC code requirements in comparison to this requirement, new product technology and availability, etc. were also discussed as they relate to the proposal. In conclusion, because an actual code change proposal had not been submitted, it was determined that the committee did not need to vote again on this issue. The committee has already made its decision/recommendation and that recommendation can stand. There were no formal motions made (by committee members) to re-vote or reconsider the issue, so the initial recommendation to repeal the amendment(s) stands. Mr. Norman followed-up by noting that the proponent has every right to request a public hearing and submit the proposal to the law judge just like they did the first time. He also reiterated that the IBC Advisory Committee is simply a recommending body for review of the code and state amendments. He further noted that any committee recommendation could be overturned by the State Building Official. There were no other items on the agenda. The meeting was adjourned at 11:20 AM.

[No Further Committee Action Taken, Initial Recommendation Stands]

- **Members Present/Absent at this meeting:**

Members Present:

**Paul Heimkes, BCSD
Jerry Norman, BCSD
Steve Thorp, AMBO
Roger Larson, AIA MN
Pat Higgins, AMBO
Doug Whitney, AMBO (Alternate for Frank Berg)
Bob James, Minnesota Fire Chiefs Association
Ed Solvedt, BOMA
Steve Fichtel, AIA MN**

Members Absent:

**Minnesota Insurance Federation
Minnesota Multi-Housing Association
Minnesota Retailers Association
Kathi Osmonson, AMBO
Mike Post, Minnesota Fire Marshals Association
Jon Nisja, State Fire Marshal**

Guests Present:

Brent Hall	W.L. Hall Company
Gregory J. Cahanin	Building for Performance Research Institute
Kent Warden	BOMA, Minneapolis Representative
Mike O'Hara	The MountainStar Group